

SENATE BILL NO. 36.

EXECUTIVE OFFICE,
STATE OF TEXAS.

Austin, April 13, 1903.

To the Secretary of State:

I disapprove and herewith transmit Senate bill No. 36, entitled "An Act to regulate the practice of barbering; the authorizing and licensing of persons to carry on such practice, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas."

As grounds for my action, the following reasons are submitted:

In my judgment there is no necessity for such a law as is here proposed, and besides it seems to me to be an expression of extreme paternalism in government.

It interferes with the rights now enjoyed by a citizen of the State, to shave the beards and cut the hair of his fellowmen for pay, if they choose to employ him, without having to obtain the permission of a board of three men, or being subjected to pains and penalties for an infraction of regulations to be prescribed.

It discourages competition and imposes upon the barber of the future unreasonable inconvenience, expense and possible discrimination, such as have never heretofore been required or practiced.

It concentrates an extraordinary power in the hands of three men, and subjects a quiet citizen, in the pursuit of his lawful occupation, to unnecessary surveillance by governmental authority.

If a man desires to be a barber, he ought not to be compelled to obtain the gracious consent of other barbers before he can open a shop or engage in tonorial work.

The sanitary feature of the bill seems to be "thrown in for good measure," and to give color and suggest a plausible excuse for the extraordinary legislation proposed.

I have failed to discover any satisfactory or tenable reason in favor of this bill.

Too much government—too much interference with the rights of the people to carry on their honest vocations—too many restrictive rules upon the voluntary and harmless conduct of the citizen and his privilege to pursue his own happiness in his own way and engage in any calling not detrimental to others nor forbidden by good morals, are unsuited to a free country.

The largest possible liberty to the citizen and the least necessary restraint upon the freedom of his action, are fundamental doctrines in republican institutions. Honest competition in every line of legitimate business ought to be facilitated rather than obstructed. "An open field and a fair fight" in every worthy trade and industry should be upheld.

The old, harsh rule of apprenticeship along the lines suggested in this bill, is not an attractive one. To serve under a master by compulsion, if even an opportunity be open for that, as a prerequisite to engaging in any trade, or to be constrained to seek permission of those already following the same occupation, for the privilege to work, or to be compelled to pay for the right to select and prosecute the method whereby it may be desirable to earn one's bread by the labor of his hands, are inconsistent with our American ideas, and could only be justified, if at all, on the ground of great public necessity.

To enlarge the system of government by and through appointive boards, does not seem to me to be sanctioned by wise public policy, and if inaugurated in the "practice of barbering," why should it not be extended so as to embrace every craft or useful occupation?

My sense of public duty compels me to disapprove this bill, and it is accordingly vetoed.

S. W. T. LANHAM,
Governor.